

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

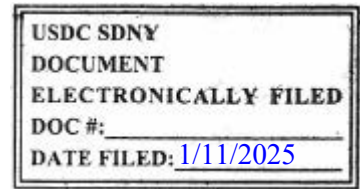
PRIMITIVO ROBLES,

Plaintiff,

-v.-

PLANET 51 LLC d/b/a NICKLZ,

Defendant.



24 Civ. 07730 (JHR)

ORDER TO SHOW CAUSE

JENNIFER H. REARDEN, District Judge:

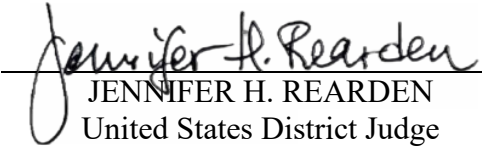
Plaintiff Primitivo Robles filed the Complaint in this action on October 11, 2024. ECF No. 1. Defendant Planet 51 LLC d/b/a NICKLZ was served with process on November 12, 2024. ECF No. 7. Its answer was therefore due on December 3, 2024. *See* Fed. R. Civ. P. 12(a)(1)(A)(i) (“A defendant must serve an answer . . . within 21 days after being served with the summons and complaint.”). To date, Defendant has not responded to the Complaint or otherwise appeared. Plaintiff, however, has not obtained a certificate of default from the Clerk of Court or filed a motion for default judgment against Defendant.

It is hereby ORDERED that, by no later than **January 22, 2025**, Plaintiff shall seek a default judgment against Defendant or show cause why this action should not be dismissed for failure to prosecute. Any application for a default judgment must comply with the Court’s Individual Rules and Practices in Civil Cases. **Failure to submit a timely and proper motion for default judgment may result in dismissal of this case.** *See* Fed. R. Civ. P. 41. Pursuant to the Court’s Individual Rules, Plaintiff must serve his motion and supporting papers on Defendant by **January 22, 2025** and file an affidavit of service on ECF by **January 24, 2025**. If or when a motion for default judgment is filed and proof of service is furnished, the Court will enter a further order setting a deadline for any opposition and reply.

It is further ORDERED that, within **one week of the date of this Order**, Plaintiff shall serve a copy of this Order on Defendant via overnight courier. Within **two business days of service**, Plaintiff shall file proof of such service on the docket.

SO ORDERED.

Dated: January 11, 2025
New York, New York


JENNIFER H. REARDEN
United States District Judge